



Diane N. Tradd  
*Assistant City Manager/Director*

R. Eric Slagle  
*Director*

Shaun Shanahan  
*Building Commissioner*

## MEMORANDUM

TO: Chairman William Bailey and Members of the Lowell Zoning Board of Appeals

FROM: Joseph Giniewicz, Associate Planner

Division of Development Services

CC: R. Eric Slagle, Director  
Shaun Shanahan, Building Commissioner  
Shawn Machado, Board Enforcement Agent  
Judy Tymon, Senior Planner  
Christine McCall, Assistant Planner  
Dental Dreams (Applicant)

DATE: May 3, 2016

RE: 26 Wood St.

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## PROJECT SUMMARY

The applicant has filed with the Zoning Board of Appeals to request a Special Permit for the installation of a free-standing sign for the property. The Board may recall that the site recently featured an addition onto the building which allowed the existing business, Dental Dreams to expand the business operations.

## DECISION CRITERIA

The Lowell Zoning Ordinance and Massachusetts General Law (Ch. 40A, Sec. 10) state that the Zoning Board must find the following zoning prerequisites have been met before a variance may be granted. Specifically, section 11.2.3 states that, "the Board of Appeals is authorized to grant a variance from zoning ordinances only if each of the following jurisdictional conditions" exist:

- a. Special hardship "owing to circumstances relating to the soil conditions shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district."
- b. If "relief can be granted without substantial detriment to the public good."
- c. Relief requested can be granted "without nullifying or substantially derogating from the intent of the zoning."

## PROJECT COMMENTS

Development Services has reviewed the proposal and have the following comments:

1. The proposal appears to locate the sign in an existing landscape island. The Board should confirm this as such to ensure the drive aisle will not become narrower.
2. The Board may wish to consider whether or not it is practical to install a sign that has space for multiple tenants when only one tenant currently exists on the premises. While it is encouraging that the property owner is thinking in a long-term view, it would seem that a more aesthetically pleasing option could exist to have one sign for the existing business.